Such a condition attached to the sale of tickets, applying to all classes and persons alike, is not violative of the statute against discrimination, in places of amusement, on account of race, color or creed.

BANKRUPTCY—DISCHARGE—FALSE OATH—OMISSIONS FROM SCHEDULES.—A finding that the bankrupts, in failing to schedule the amount of a large sum of money received by them but a few days prior to the proceedings in bankruptcy, and claimed by them to have been stolen from a drawer in a roller top desk in their storehouse, made a false oath, held, to be sustained by the evidence, and that no injustice was done by denying their petition for a discharge.—*Barton Bros.* v. *Texas Produce Co.*, U. S. Circuit Court of Appeals, Eighth Circuit, April 4, 1905. 14 Am. B. R. 502.

BANKRUPTCY—DISCHARGE—REVOCATION—SUFFICIENCY OF PETITION.—A petition for the revocation of a discharge should show that the petitioners had provable debts which were affected by the discharge, and where the only allegation therein with respect to the character of the petitioners is that they are creditors of the bankrupt, it is insufficient to show that they are "parties in interest" within section 14b, and the petition is properly dismissed.—*In re Chandler*, U. S. Circuit Court of Appeals, Seventh Circuit, April 11, 1905. 14 Am. B. R. 512.

BANKRUPTCY—AUCTIONEER—APPOINTMENT OF OFFICIAL.—The bankruptcy court has power, in advance of any particular occasion which may call for the selection of an auctioneer to sell a bankrupt's estate, to designate some particular auctioneer to act for the trustee in that behalf, and the fact that he is denominated as official auctioneer is immaterial.—*In re Benjamin*, U. S. Circuit Court of Appeals, Second District, March 24, 1905. 14 Am. B. R. 481, aff'g 13 *id.* 18.

INVOLUNTARY BANKRUPTCY—SPLITTING CLAIMS NOT SANCTIONED—TIME OF INTERVENTION.—Where the attorney for the petitioning creditors becomes a creditor by an assignment of a part of the claim of one of the petitioning creditors in an involuntary bankruptcy made after the filing of the petition, he may not be counted as a petitioning creditor.

After a hearing and dismissal of an involuntary petition, it is too late for any new creditor intervene as a matter of right, and a denial of the application is proper.—*In re Tribelhorn*, U. S. Circuit Court of Appeals, Second Circuit, March 24, 1905. 14 Am. B. R. 491.

BANKRUPTCY— INSURANCE—POLICY HAD NO TECHNICAL CASH SURRENDER VALUE—ASSIGNABLE INTEREST PASSES TO TRUSTEE.—A policy of insurance upon a bankrupt's life payable to his wife if living at his death, and if not,

then to his executors, administrators or assigns, and having no technical cash surrender value at the time of the bankrupt's adjudication, but the insurer upon the execution of a release from the bankrupt and his wife agrees to voluntarily pay a certain sum for the policy, it has a surrender value and the bankrupt's interest therein, whether vested or contingent, is assignable, and the trustee succeeds to it and the bankrupt may be directed to execute an assignment of his interest to the trustee to enable him to give title upon a sale.—*In re Coleman*, U. S. Circuit Court of Appeals, Second Circuit, March 20, 1905. 14 Am. B. R. 461.

ELECTION BETWEEN DOWER AND A LEGACY—WIDOW'S RIGHT OF ELECTION PERSONAL TO HER, NOT PASSING TO HER LEGAL REPRESENTATIVES—SEC. 2271, VA. CODE 1904.—In *Flynn* v. *McDermott*, decided by the Court of Appeals of New York, Nov. 21, 1905, it was *held*:

The right of election between dower and a legacy in lieu thereof is personal to the widow and does not pass to her legal representatives.

The death of the widow, occurring within the statutory year for making the election and without her having exercised it, vests the right to collect the legacy in her executor.

We apprehend that the same rule would apply in Virginia under sec. 2271, Va. Code 1904.

It was further *held* in the above case that under secs. 180, 181, of the Real Property Law of New York, the fact that the widow had commenced an action to contest the validity of her husband's will was not to be construed as an election on her part to take dower.

GIFT BY HUSBAND TO WIFE.—CF. SEC. 2414, VA. CODE 1904.—"Since the English Married Women's Property Act, 1882, has made a married woman capable of acquiring property in the same manner as if she were a *feme sole*, the question whether there has been a gift of chattels by a husband to his wife depends on the ordinary principles of law. Since the decision of the Court of Appeals in *Cochrane* v. *Moore*, 59 Law J. Rep. Q. B. 377; L. R. 25 Q. B. Div. 57, where all the authorities from Bracton and Fleta downwards were exhaustively reviewed by Lord Justice Fry, it may be taken as settled that a verbal gift of chattels does not without delivery pass the property. This delivery, it was afterwards said, means not manual delivery, but delivery of possession (*Kilpin* v. *Ratley*, L. R. (1892) 1 Q. B. 582). And where the gift is to a bailee of a chattel, it has been held since, as well as before, *Cochrane* v. *Moore*, that the change in the character of the possession consequent upon the gift is enough to transfer the property (see *In re Alderson*, 64 L. T. 645). Where a husband and wife live under the same roof there may, no doubt, be some difficulty in the case of the household furniture in proving that there has been a transfer of possession from the husband to the wife; but *Kilpin* v. *Ratley* (though it was a case of a gift by a third person) shows that the possession of the husband may